



**Iowa General Assembly**  
**Daily Bills, Amendments and Study Bills**  
**January 31, 2014**

HF2087 .....	2
HF2088 .....	4
HF2089 .....	7
HF2090 .....	10
HF2091 .....	20
HF2092 .....	23
HF2093 .....	25



Iowa General Assembly  
Daily Bills, Amendments and Study Bills  
January 31, 2014

House File 2087 - Introduced

HOUSE FILE 2087

BY ANDERSON, SHEETS, GASSMAN,  
STAED, RUFF, PRICHARD,  
OURTH, HANSON, STECKMAN,  
WOLFE, KEARNS, THOMAS,  
THEDE, H. MILLER,  
GAINES, HUNTER, STUTSMAN,  
WINCKLER, LENSING, COHOON,  
ABDUL-SAMAD, KAJTAZOVIC,  
and BEARINGER

A BILL FOR

1 An Act making an appropriation for preserving community  
2 newspapers to the department of cultural affairs for the  
3 state archives and records program.  
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TLSB 5190YH (3) 85  
ad/nh



Iowa General Assembly  
Daily Bills, Amendments and Study Bills  
January 31, 2014

H.F. 2087

1 Section 1. STATE ARCHIVES AND RECORDS APPROPRIATION.

2 1. There is appropriated from the general fund of the state  
3 to the department of cultural affairs for the fiscal year  
4 beginning July 1, 2014, and ending June 30, 2015, the following  
5 amount, or so much thereof as is necessary, to be used for the  
6 purposes designated:

7 For the state archives and records program for preserving  
8 and archiving issues of community newspapers from calendar  
9 years 2009 through 2013 in the state of Iowa through  
10 microfiche:

11 ..... \$ 250,000

12 2. Notwithstanding section 8.33, moneys appropriated in  
13 this section that remain unencumbered or unobligated at the  
14 close of the fiscal year shall not revert but shall remain  
15 available for expenditure for the purposes designated until the  
16 close of the succeeding fiscal year.

17 EXPLANATION

18 The inclusion of this explanation does not constitute agreement with  
19 the explanation's substance by the members of the general assembly.

20 This bill appropriates \$250,000 to the department of  
21 cultural affairs from the general fund of the state for FY  
22 2014-2015 for purposes of preserving community newspapers  
23 through the state archives and records program.



Iowa General Assembly  
Daily Bills, Amendments and Study Bills  
January 31, 2014

House File 2088 - Introduced

HOUSE FILE 2088  
BY HEIN, MOORE, BYRNES,  
GRASSLEY, COSTELLO,  
STANERSON, KAUFMANN,  
PETTENGILL, SALMON, HEATON,  
FISHER, and R. TAYLOR

A BILL FOR

1 An Act relating to disposition of unclaimed property provisions  
2 applicable to gift certificates.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TLSB 5824HH (3) 85  
rn/sc



Iowa General Assembly  
Daily Bills, Amendments and Study Bills  
January 31, 2014

H.F. 2088

1 Section 1. Section 556.9, subsection 2, Code 2014, is  
2 amended to read as follows:

3 2. a. An issuer of a gift certificate shall not deduct  
4 from the face value of the gift certificate any charge imposed  
5 due to the failure of the owner of the gift certificate to  
6 present the gift certificate in a timely manner, unless a valid  
7 and enforceable written contract exists between the issuer and  
8 the owner of the gift certificate pursuant to which the issuer  
9 regularly imposes such charges and does not regularly reverse  
10 or otherwise cancel them.

11 b. Notwithstanding the time limitation in subsection 1,  
12 a gift certificate that is not subject to an expiration date  
13 and that is not subject to a deduction from the face value  
14 of the gift certificate for failure of the owner of the gift  
15 certificate to present the gift certificate in a timely manner,  
16 or subject to any other charge or service fee, which card  
17 remains unrepresented, shall continue in force and be eligible  
18 for presentation for an indefinite period of time, and shall  
19 not be subject to a presumption of abandonment.

20 c. For purposes of this subsection, "*gift certificate*" means  
21 a merchandise certificate or electronic gift card conspicuously  
22 designated as a gift certificate or electronic gift card, and  
23 generally purchased by a buyer for use by a person other than  
24 the buyer.

25 EXPLANATION

26 The inclusion of this explanation does not constitute agreement with  
27 the explanation's substance by the members of the general assembly.

28 This bill modifies unclaimed property provisions that apply  
29 to gift certificates.

30 Current law includes gift certificates within the definition  
31 of "property" subject to the disposition of unclaimed property  
32 provisions of Code chapter 556. The bill provides that,  
33 notwithstanding provisions in Code section 556.2 specifying  
34 that intangible personal property that remains unclaimed by  
35 the owner for more than three years after it became payable or

LSB 5824HH (3) 85

-1-

rn/sc

1/2



Iowa General Assembly  
Daily Bills, Amendments and Study Bills  
January 31, 2014

H.F. 2088

1 distributable is presumed abandoned, a gift certificate that  
2 is not subject to an expiration date or subject to any form  
3 of late payment charge or other charge or service fee remains  
4 eligible for presentation for an indefinite period of time, and  
5 shall not be presumed abandoned.



Iowa General Assembly  
Daily Bills, Amendments and Study Bills  
January 31, 2014

House File 2089 - Introduced

HOUSE FILE 2089  
BY PETTENGILL

A BILL FOR

1 An Act relating to supplementary weighting for school districts  
2 and area education agencies that share operational functions  
3 and including effective date provisions.  
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TLSB 6065YH (2) 85  
md/sc



Iowa General Assembly  
Daily Bills, Amendments and Study Bills  
January 31, 2014

H.F. 2089

1 Section 1. Section 257.11, subsection 7, paragraph a,  
2 subparagraph (1), Code 2014, is amended to read as follows:  
3 (1) In order to provide additional funding to increase  
4 student opportunities and redirect more resources to student  
5 programming for school districts that share operational  
6 functions, a supplementary weighting of two hundredths per  
7 pupil shall be assigned to pupils enrolled in a district that  
8 shares with a political subdivision one or more operational  
9 functions of a curriculum director, school administration  
10 manager, social worker, school nurse, school counselor, or  
11 school librarian, or one or more operational functions in the  
12 areas of superintendent management, business management, human  
13 resources, transportation, or operation and maintenance for  
14 at least twenty percent of the school year. ~~The additional~~  
15 ~~weighting shall be assigned for each discrete operational~~  
16 ~~function shared.~~ The operational function sharing arrangement  
17 does not need to be a newly implemented sharing arrangement  
18 to receive supplementary weighting under this subsection.  
19 However, to receive supplementary weighting under this  
20 subsection for an ongoing operational function sharing  
21 arrangement that began before July 1, 2014, the district  
22 shall submit information to the department documenting the  
23 cost savings directly attributable to the shared operational  
24 functions and describe the district's consideration of  
25 additional shared operational functions.  
26 Sec. 2. EFFECTIVE UPON ENACTMENT. This Act, being deemed of  
27 immediate importance, takes effect upon enactment.

28 EXPLANATION

29 The inclusion of this explanation does not constitute agreement with  
30 the explanation's substance by the members of the general assembly.

31 Code section 257.11(7), enacted in 2013 Iowa Acts, chapter  
32 65 (HF 472), established supplementary weighting of 0.02 per  
33 pupil for school districts and area education agencies that  
34 share with a political subdivision one or more operational  
35 functions of a curriculum director, school administration

LSB 6065YH (2) 85  
md/sc

-1-

1/2





Iowa General Assembly  
Daily Bills, Amendments and Study Bills  
January 31, 2014

H.F. 2089

1 manager, social worker, school nurse, school counselor, or  
2 school librarian, or one or more operational functions in the  
3 areas of superintendent management, business management, human  
4 resources, transportation, or operation and maintenance for at  
5 least 20 percent of the school year. Under current law, the  
6 additional weighting is assigned for each discrete operational  
7 function shared.

8 This bill strikes the provision that authorizes the  
9 additional weighting for each discrete operational function  
10 that is shared by the school district or by the area education  
11 agency.

12 The bill takes effect upon enactment.



Iowa General Assembly  
Daily Bills, Amendments and Study Bills  
January 31, 2014

House File 2090 - Introduced

HOUSE FILE 2090  
BY HAGENOW, HIGHFILL, and  
COWNIE

A BILL FOR

1 An Act providing education savings grants for pupils attending  
2 a nonpublic school or receiving competent private  
3 instruction, establishing an education savings grant fund,  
4 making appropriations, providing penalties, and including  
5 applicability provisions.  
6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TLSB 5396YH (4) 85  
md/sc



Iowa General Assembly  
Daily Bills, Amendments and Study Bills  
January 31, 2014

H.F. 2090

1 Section 1. Section 12D.3, subsection 1, paragraph a, Code  
2 2014, is amended to read as follows:

3 a. Each participation agreement may require a participant  
4 to agree to invest a specific amount of money in the trust  
5 for a specific period of time for the benefit of a specific  
6 beneficiary. A participant shall not be required to make an  
7 annual contribution on behalf of a beneficiary. The maximum  
8 contribution that may be deducted for Iowa income tax purposes  
9 shall not exceed two thousand dollars per beneficiary per year  
10 adjusted annually to reflect increases in the consumer price  
11 index. Contributions to an account that are moneys from an  
12 education savings grant under section 257.11B shall not be  
13 considered a contribution that may be deducted for Iowa income  
14 tax purposes. The treasurer of state shall set an account  
15 balance limit to maintain compliance with section 529 of the  
16 Internal Revenue Code. A contribution shall not be permitted  
17 to the extent it causes the aggregate balance of all accounts  
18 established for the same beneficiary to exceed the applicable  
19 account balance limit.

20 Sec. 2. Section 256.7, Code 2014, is amended by adding the  
21 following new subsection:

22 NEW SUBSECTION. 33. Adopt rules relating to applications  
23 for an education savings grant pursuant to section 257.11B,  
24 including application processing timelines and information  
25 required to be submitted by a parent or guardian.

26 Sec. 3. NEW SECTION. 257.11B **Education savings grant**  
27 **program.**

28 1. Pupils eligible to enroll in grades kindergarten through  
29 twelve and attending a nonpublic school or receiving competent  
30 private instruction under chapter 299A shall be eligible to  
31 receive an education savings grant in the manner provided in  
32 this section for school years beginning on or after July 1,  
33 2015. Education savings grants shall be made available to  
34 parents and guardians in the manner authorized under subsection  
35 4, paragraph "c", for the payment of qualified educational

LSB 5396YH (4) 85  
md/sc

-1-

1/9



Iowa General Assembly  
Daily Bills, Amendments and Study Bills  
January 31, 2014

H.F. 2090

1 expenses as provided in this section.

2 2. a. (1) By January 31 preceding the school year for  
3 which the education savings grant is requested, the parent  
4 or guardian of the pupil requesting to receive an education  
5 savings grant shall submit an application to the department of  
6 education, on application forms developed by the department,  
7 indicating that the parent or guardian intends to enroll the  
8 pupil in a nonpublic school or provide competent private  
9 instruction for the pupil under chapter 299A.

10 (2) In addition to such information deemed appropriate by  
11 the department of education, the application shall require  
12 certification from the nonpublic school of the pupil's  
13 enrollment for the following school year or a statement  
14 indicating the parent or guardian's intent to provide or  
15 arrange for competent private instruction for the pupil for the  
16 following school year.

17 b. By March 1 preceding the school year for which the  
18 education savings grant is requested, the department of  
19 education shall notify the department of management of the  
20 number of pupils in each school district designated for the  
21 following school year to receive an education savings grant  
22 and the amount of the education savings grant for each pupil.  
23 The department of education shall also notify the parent  
24 or guardian of such pupils who are approved to receive an  
25 education savings grant.

26 c. Education savings grants shall only be approved for one  
27 school year and applications must be submitted under paragraph  
28 "a" for education savings grants in subsequent school years.

29 3. a. The department of management shall assign each pupil  
30 an education savings grant in an amount equal to the statewide  
31 average state foundation aid per pupil in the same school year.

32 b. The department of management shall on July 1 following  
33 the determination of the amount of the education savings grant  
34 for each approved pupil transfer such amounts to the pupil's  
35 account in the education savings grant fund established under



Iowa General Assembly  
Daily Bills, Amendments and Study Bills  
January 31, 2014

H.F. 2090

1 subsection 4. Such amount shall be available to the pupil's  
2 parent or guardian in the manner authorized under subsection  
3 4, paragraph "c", for the payment of qualified educational  
4 expenses incurred by such persons for the pupil during that  
5 school year.

6 4. An education savings grant fund is created in the state  
7 treasury under the control of the department of management  
8 consisting of moneys appropriated to the department for the  
9 purpose of providing education savings grants under this  
10 section. For the fiscal year commencing July 1, 2015, and  
11 each succeeding fiscal year, there is appropriated from the  
12 general fund of the state to the department of management to be  
13 credited to the fund the amount necessary to pay all education  
14 savings grants approved for that fiscal year. The director of  
15 the department of management has all powers necessary to carry  
16 out and effectuate the purposes, objectives, and provisions of  
17 this section pertaining to the fund, including the power to do  
18 all of the following:

19 a. Make and enter into contracts necessary for the  
20 administration of the fund.

21 b. Procure insurance against any loss in connection with the  
22 assets of the fund or require a surety bond.

23 c. Contract with a private financial management firm to  
24 manage the fund, in collaboration with the treasurer of state,  
25 including providing for the disbursement of education savings  
26 grants in the form of an electronic debit card or checks that  
27 are payable directly from the pupil's account within the fund.

28 d. Conduct audits or other review necessary to properly  
29 administer the program.

30 e. Adopt rules pursuant to chapter 17A for the  
31 administration of the fund and accounts within the fund.

32 5. a. For each pupil approved for an education savings  
33 grant, the department shall establish an account for that pupil  
34 in the education savings grant fund. The amount of the pupil's  
35 education savings grant determined under subsection 3 shall be

LSB 5396YH (4) 85  
md/sc



Iowa General Assembly  
Daily Bills, Amendments and Study Bills  
January 31, 2014

H.F. 2090

1 deposited into the pupil's account on July 1 and such amount  
2 shall be immediately available for the payment of qualified  
3 educational expenses incurred by the parent or guardian for  
4 the pupil during that fiscal year using the payment method  
5 authorized under subsection 4, paragraph "c".

6     **b.** A nonpublic school or other entity that accepts payment  
7 from a parent or guardian using funds from a pupil's account in  
8 the education savings grant fund shall not refund, rebate, or  
9 share any portion of such payment with the parent, guardian, or  
10 pupil.

11     **c.** Moneys remaining in a pupil's account upon conclusion  
12 of the fiscal year shall remain in the pupil's account within  
13 the education savings grant fund for the payment of qualified  
14 educational expenses in future fiscal years or for the payment  
15 of higher education costs under subsection 8.

16     **6.** For purposes of this section, "*qualified educational*  
17 *expenses*" includes tuition and fees at a nonpublic school,  
18 textbooks, fees or payments for educational therapies including  
19 tutoring or cognitive skills training, curriculum fees and  
20 materials for a course of study for a specific subject matter  
21 or grade level, tuition or fees for nonpublic online education  
22 programs, education materials and services for pupils with  
23 disabilities including the cost of paraprofessionals and  
24 assistants who are trained in accordance with state law,  
25 standardized test fees, fees required by the department  
26 not to exceed for each grant recipient five percent of the  
27 total grant amount in any fiscal year, contributions to an  
28 Iowa education savings plan trust account under chapter 12D,  
29 contributions to a Coverdell education savings account under 26  
30 U.S.C. §530, higher education expenses, as defined in section  
31 12D.1, excluding room and board expenses, and other expenses  
32 incurred by the parent or guardian that are directly related  
33 to the education of the pupil at a nonpublic school, including  
34 a nonpublic school accredited by an independent accrediting  
35 agency approved by the department of education, or directly

LSB 5396YH (4) 85

md/sc

4/9



Iowa General Assembly  
Daily Bills, Amendments and Study Bills  
January 31, 2014

H.F. 2090

1 related to providing competent private instruction for the  
2 pupil under chapter 299A. The cost of one computer or other  
3 portable computing device shall be allowed as a qualified  
4 educational expense for a pupil if such a purchase has not been  
5 made using funds from that pupil's account in either of the  
6 two immediately preceding fiscal years. *"Qualified educational*  
7 *expenses"* do not include transportation costs for the pupil, the  
8 cost of food or refreshments consumed by the pupil, the cost of  
9 clothing for the pupil, or the cost of disposable materials,  
10 including but not limited to paper, notebooks, pencils, pens,  
11 and art supplies.

12 7. A person who makes a false claim for the purpose of  
13 obtaining an education savings grant provided for in this  
14 section or who knowingly receives the grant or makes a payment  
15 from an account within the education savings grant fund  
16 without being legally entitled to it is guilty of a fraudulent  
17 practice. The false claim for an education savings grant or a  
18 payment from an account shall be disallowed and if amounts from  
19 the grant have been disbursed from the applicable account in  
20 the education savings grant fund, the department of management  
21 shall initiate legal proceedings to recover such amounts. A  
22 parent or guardian, or a pupil for purposes of subsection 8,  
23 who violates this subsection is prohibited from participating  
24 in the education savings grant program in the future.

25 8. For each pupil with a positive balance in the pupil's  
26 account in the education savings grant fund upon graduation  
27 from high school or completion of an equivalent level of  
28 competent private instruction under chapter 299A, the  
29 department of management shall maintain the account in the  
30 fund until the pupil is twenty-five years of age. Following  
31 graduation from high school until the pupil is twenty-five  
32 years of age, moneys in the pupil's account may be used for  
33 higher education costs, as defined in section 12D.1, subsection  
34 2, incurred by the pupil while attending an institution of  
35 higher education under the control of the state board of



Iowa General Assembly  
Daily Bills, Amendments and Study Bills  
January 31, 2014

H.F. 2090

1 regents, a community college located in this state, or a  
2 private college or university located in this state. Payments  
3 from a pupil's account for higher education costs shall be  
4 made in the same manner as payments for qualified educational  
5 expenses under subsection 5. Moneys in a pupil's account when  
6 the pupil turns twenty-five years of age shall be transferred  
7 by the department for deposit in the general fund of the state.

8 9. This section shall not be construed to authorize the  
9 state or any political subdivision of the state to exercise  
10 authority over any nonpublic school or pupil receiving  
11 competent private instruction under chapter 299A or construed  
12 to require a nonpublic school to modify its admissions or  
13 educational program in order to receive payment from a parent  
14 or guardian using funds from a pupil's account in the education  
15 savings grant fund. A nonpublic school or entity providing  
16 competent private instruction under chapter 299A, that accepts  
17 payment from a parent or guardian using funds from a pupil's  
18 account in the education savings grant fund is not an agent of  
19 this state or other political subdivision of this state. Rules  
20 adopted by the department to implement this section that impose  
21 an undue burden on a nonpublic school or entity providing  
22 competent private instruction under chapter 299A are invalid.

23 Sec. 4. Section 422.7, Code 2014, is amended by adding the  
24 following new subsection:

25 NEW SUBSECTION. 51. Subtract, to the extent included, the  
26 amount of any education savings grant under section 257.11B  
27 received during the tax year by pupils for whom the taxpayer is  
28 the parent or guardian authorized to spend such grant amounts  
29 for qualified educational expenses.

30 Sec. 5. APPLICABILITY. This Act applies to school budget  
31 years and fiscal years beginning on or after July 1, 2015.

32 Sec. 6. APPLICABILITY. The following provisions of this Act  
33 apply to tax years beginning on or after January 1, 2015:

- 34 1. The section of this Act amending section 12D.3.  
35 2. The section of this Act amending section 422.7.





Iowa General Assembly  
Daily Bills, Amendments and Study Bills  
January 31, 2014

H.F. 2090

1 EXPLANATION

2 The inclusion of this explanation does not constitute agreement with  
3 the explanation's substance by the members of the general assembly.

4 This bill provides education savings grants for pupils  
5 attending a nonpublic school or receiving competent private  
6 instruction and establishes an education savings grant fund.  
7 Under the bill, pupils eligible to enroll in grades  
8 kindergarten through 12 and attending a nonpublic school or  
9 receiving competent private instruction under Code chapter  
10 299A are eligible to receive an education savings grant for  
11 school years beginning on or after July 1, 2015. By January 31  
12 preceding the school year for which the education savings grant  
13 is requested, the parent or guardian of the pupil requesting to  
14 receive an education savings grant must submit an application  
15 to the department of education indicating that the parent or  
16 guardian intends to enroll the pupil in a nonpublic school or  
17 provide competent private instruction for the pupil.

18 The bill requires that by March 1 preceding the school  
19 year for which the education savings grant is requested,  
20 the department of education must notify the department of  
21 management of the number of pupils in each school district  
22 designated for the following school year to receive an  
23 education savings grant and the amount of the education savings  
24 grant for each pupil. Education savings grants may only be  
25 approved for one school year and applications must be submitted  
26 for education savings grants in subsequent school years.

27 The amount of each education savings grant is equal to the  
28 statewide average state foundation aid per pupil in the same  
29 school year.

30 The bill creates an education savings grant fund in the state  
31 treasury under the control of the department of management  
32 consisting of moneys appropriated to the department for the  
33 purpose of providing education savings grants. For the fiscal  
34 year commencing July 1, 2015, and each succeeding fiscal year,  
35 there is appropriated from the general fund of the state to the

LSB 5396YH (4) 85

-7-

md/sc

7/9



Iowa General Assembly  
Daily Bills, Amendments and Study Bills  
January 31, 2014

H.F. 2090

1 department of management for deposit in the fund the amount  
2 necessary to pay all education savings grants approved for  
3 that fiscal year. For each pupil approved for an education  
4 savings grant, the department of management must establish an  
5 account for that pupil in the education savings grant fund.  
6 The amount of the pupil's education savings grant is deposited  
7 into the pupil's account on July 1 and such amount is available  
8 for use by parents and guardians for the payment of qualified  
9 educational expenses, as defined in the bill, incurred by the  
10 parent or guardian for the pupil during that fiscal year.

11 The bill authorizes the department of education to  
12 contract with a private financial management firm to manage  
13 the education savings grant fund, in collaboration with the  
14 treasurer of state, including providing for the disbursement  
15 of education savings grants in the form of an electronic debit  
16 card or checks that are payable directly from the pupil's  
17 account within the fund.

18 The bill provides that moneys remaining in a pupil's account  
19 upon the conclusion of the fiscal year shall remain in the  
20 pupil's account within the education savings grant fund for  
21 the payment of qualified educational expenses in future fiscal  
22 years or for higher education costs as authorized in the bill.

23 Under the bill, for each pupil with a positive balance in  
24 the pupil's account in the education savings grant fund upon  
25 graduation from high school or completion of an equivalent  
26 level of competent private instruction under Code chapter  
27 299A, the department of management is required to maintain the  
28 account in the fund until the pupil is 25 years old. Until  
29 the pupil is 25 years old, moneys in the pupil's account may  
30 be used by the pupil for higher education costs, as defined  
31 in Code section 12D.1. Moneys in a pupil's account when the  
32 pupil turns 25 years old are transferred by the department of  
33 management for deposit in the general fund of the state.

34 The bill provides that a person who makes a false claim for  
35 the purpose of obtaining an education savings grant or who



**Iowa General Assembly**  
**Daily Bills, Amendments and Study Bills**  
**January 31, 2014**

H.F. 2090

1 knowingly receives the grant or makes a payment from an account  
2 within the education savings grant fund without being legally  
3 entitled to it is guilty of a fraudulent practice and is  
4 subject to a criminal penalty. The bill allows the department  
5 of management to initiate legal proceedings to recover grants  
6 and amounts improperly awarded or paid from accounts under the  
7 bill.

8 The bill provides that moneys from an education savings  
9 grant under the bill are not taxable income under Code chapter  
10 422. In addition, the bill provides that contributions to an  
11 Iowa education savings plan trust account under Code chapter  
12 12D that are moneys from an education savings grant under the  
13 bill are not considered a contribution that may be deducted for  
14 Iowa income tax purposes.

15 The bill applies to school budget years and fiscal years  
16 beginning on or after July 1, 2015.

17 The provisions of the bill amending Code sections 12D.3 and  
18 422.7 apply to tax years beginning on or after January 1, 2015.



Iowa General Assembly  
Daily Bills, Amendments and Study Bills  
January 31, 2014

**House File 2091 - Introduced**

HOUSE FILE 2091

BY MASCHER, RUFF, HUNTER,  
STAED, JACOBY, KEARNS,  
STUTSMAN, LENSING, DUNKEL,  
ABDUL-SAMAD, COHOON,  
T. TAYLOR, HALL, MEYER,  
WOLFE, OURTH, and OLDSO

**A BILL FOR**

1 An Act relating to the aging and disability resource center  
2 network and providing an appropriation.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TLSB 5519HH (5) 85  
pf/nh



Iowa General Assembly  
Daily Bills, Amendments and Study Bills  
January 31, 2014

H.F. 2091

1 Section 1. AGING AND DISABILITY RESOURCE CENTER —  
2 APPROPRIATION. There is appropriated from the general fund  
3 of the state to the department on aging for the fiscal year  
4 beginning July 1, 2014, and ending June 30, 2015, the following  
5 amount, or so much thereof as is necessary, to be used for the  
6 purposes designated:

7 For the establishment of an aging and disability resource  
8 center in each of the area agencies on aging as specified in  
9 section 231.64:

10 ..... \$ 1,300,000

11 EXPLANATION

12 The inclusion of this explanation does not constitute agreement with  
13 the explanation's substance by the members of the general assembly.

14 This bill appropriates \$1.3 million from the general  
15 fund of the state to the department on aging (IDA) for FY  
16 2014-2015 to establish an aging and disability resource  
17 center in each of the area agencies on aging. Under Code  
18 section 231.64, aging and disability resource centers are  
19 to be administered by IDA consistent with the federal Older  
20 Americans Act. IDA is directed to designate area agencies on  
21 aging to establish, in consultation with other stakeholders  
22 including organizations representing the disability community,  
23 a coordinated system to provide comprehensive information,  
24 referral, and assistance regarding the full range of available  
25 public and private long-term care programs, options, service  
26 providers, and resources within a community, including  
27 information on the availability of integrated long-term care;  
28 options counseling to assist individuals in assessing their  
29 existing or anticipated long-term care needs and developing and  
30 implementing a plan for long-term care designed to meet their  
31 specific needs and circumstances; and consumer access to the  
32 range of publicly supported long-term care programs for which  
33 consumers may be eligible, by serving as a convenient point of  
34 entry for such programs. The aging and disability resource  
35 center is required to assist older individuals (those 60 years

LSB 5519HH (5) 85

-1-

pf/nh

1/2



Iowa General Assembly  
Daily Bills, Amendments and Study Bills  
January 31, 2014

H.F. 2091

1 of age and older), persons with disabilities age 18 and older,  
2 family caregivers, and people who inquire about or request  
3 assistance on behalf of members of these groups, as they seek  
4 long-term care living services and community supports.



Iowa General Assembly  
Daily Bills, Amendments and Study Bills  
January 31, 2014

House File 2092 - Introduced

HOUSE FILE 2092  
BY HESS

A BILL FOR

1 An Act relating to invasion of privacy, and providing  
2 penalties.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TLSB 5754YH (2) 85  
jm/rj



Iowa General Assembly  
Daily Bills, Amendments and Study Bills  
January 31, 2014

H.F. 2092

1 Section 1. Section 709.21, subsection 1, paragraph a, Code  
2 2014, is amended to read as follows:

3 a. The other person ~~does not have knowledge about and~~  
4 does not consent or is unable to consent to being viewed,  
5 photographed, or filmed.

6 EXPLANATION

7 The inclusion of this explanation does not constitute agreement with  
8 the explanation's substance by the members of the general assembly.

9 This bill modifies the criminal offense of invasion of  
10 privacy.

11 Under the bill, the victim may have knowledge that the  
12 perpetrator is viewing, photographing, or filming the victim.  
13 Current law requires the victim to have no knowledge the  
14 perpetrator is viewing, photographing, or filming the victim.

15 Under the bill, a person who knowingly views, photographs,  
16 or films a victim, for the purpose of arousing or gratifying  
17 the sexual desire of any person, commits invasion of privacy if  
18 all of the following apply: the victim does not consent or is  
19 unable to consent to being viewed, photographed, or filmed; the  
20 victim is in a state of full or partial nudity; and the victim  
21 has a reasonable expectation of privacy while in a state of  
22 full or partial nudity.

23 A person who violates the bill commits a serious misdemeanor  
24 and must register as a sex offender. A serious misdemeanor is  
25 punishable by confinement for no more than one year and a fine  
26 of at least \$315 but not more than \$1,875.





Iowa General Assembly  
Daily Bills, Amendments and Study Bills  
January 31, 2014

House File 2093 - Introduced

HOUSE FILE 2093  
BY R. OLSON

A BILL FOR

1 An Act establishing a senior administrative law judge program.  
2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TLSB 6066YH (3) 85  
ec/rj



Iowa General Assembly  
Daily Bills, Amendments and Study Bills  
January 31, 2014

H.F. 2093

1 Section 1. Section 10A.801, subsection 1, unnumbered  
2 paragraph 1, Code 2014, is amended to read as follows:

3 For purposes of this ~~section~~ article, unless the context  
4 otherwise requires:

5 Sec. 2. NEW SECTION. 10A.802 Senior administrative law  
6 judge program.

7 1. The division shall establish a senior administrative  
8 law judge program to provide for the employment of  
9 retired administrative law judges to perform duties as an  
10 administrative law judge on less than a full-time basis to  
11 assist the division in performing its duties. For purposes of  
12 this section, a retired administrative law judge is a person  
13 who has performed duties as an administrative law judge and who  
14 meets the requirements for a bona fide retirement under section  
15 97B.52A.

16 2. A retired administrative law judge may be employed, at  
17 the discretion of the division, to perform duties as a  
18 senior administrative law judge for such time as the division  
19 determines if the retired administrative law judge does all of  
20 the following:

21 a. Meets the requirements for employment as an  
22 administrative law judge as provided in section 10A.801 and has  
23 a license to practice law in this state.

24 b. Agrees in writing on a form prescribed by the division  
25 to be available to perform duties as a senior administrative  
26 law judge assigned by the division for an aggregate period of  
27 thirteen weeks out of each twelve-month period commencing upon  
28 employment as a senior administrative law judge.

29 c. Submits evidence to the division that as of the date of  
30 retirement, the senior administrative law judge does not suffer  
31 from a permanent physical or mental disability which would  
32 substantially interfere with the performance of duties agreed  
33 to under this subsection.

34 d. Does not engage in the practice of law while employed as  
35 a senior administrative law judge.

LSB 6066YH (3) 85  
ec/rj

-1-

1/2



Iowa General Assembly  
Daily Bills, Amendments and Study Bills  
January 31, 2014

H.F. 2093

1 3. A senior administrative law judge employed by the  
2 division pursuant to this section shall serve at the pleasure  
3 of the division and shall not be covered by the merit system  
4 provisions of chapter 8A, subchapter IV.

5 EXPLANATION

6 The inclusion of this explanation does not constitute agreement with  
7 the explanation's substance by the members of the general assembly.

8 This bill creates a senior administrative law judge program  
9 within the administrative hearings division of the department  
10 of inspections and appeals. The program allows the division  
11 to employ, at its discretion, former administrative law judges  
12 who are retired to perform duties as administrative law judges  
13 on less than a full-time basis.

14 The bill provides that a retired administrative law judge  
15 may be employed as a senior administrative law judge if the  
16 retired judge meets the requirements for employment as an  
17 administrative law judge, is licensed to practice law in this  
18 state, agrees to perform duties as a senior administrative  
19 law judge for an aggregate period of 13 weeks in a 12-month  
20 period, submits evidence to the division that the retired  
21 judge is not suffering from a disability to prevent the judge  
22 from performing duties as an administrative law judge, and  
23 does not engage in the practice of law while employed as a  
24 senior administrative law judge. The bill provides a senior  
25 administrative law judge employed by the division shall serve  
26 at the pleasure of the division and shall not be covered by the  
27 merit system.